



11/16/2011

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ATTORNEYS FOR PLAINTIFF
 RICHARD NOLL

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

RICHARD NOLL, Individually and on
 behalf of all others similarly situated,

Plaintiff,

v.

EBAY INC., EBAY EUROPE S.A.R.L.,
 and EBAY INTERNATIONAL AG

Defendants.

CASE NO. 5:11-CV-04585-EJD

**STIPULATION TO EXTEND TIME
 FOR RESPONSE AND REPLY
 REGARDING EBAY, INC.'S MOTION
 TO DISMISS AND REQUEST FOR
 JUDICIAL NOTICE**

Jury Trial Demanded

This Stipulation is entered into pursuant to Local Rule 6-2, by and between Plaintiff Richard Noll ("Plaintiff") and Defendant eBay Inc. ("eBay") (collectively, the "Parties"), by and through the respective undersigned counsel.

1 WHEREAS, on October 31, 2011, eBay filed its Motion to Dismiss (Doc. 24), Request
 2 for Judicial Notice in Support of eBay's Motion to Dismiss Plaintiff's Complaint or, in the
 3 alternative, Strike Portions Thereof (Doc. 25), and supporting Declarations (Docs. 26, 27)
 4 (collectively, the "Motion and Supporting Materials");

5 WHEREAS, Local Rule 7-3 requires a response to the foregoing materials in fourteen
 6 (14) days and a reply seven (7) days thereafter;

7 WHEREAS, eBay's Motion and Supporting Materials are set for hearing on March 2,
 8 2012;

9 WHEREAS, under Local Rule 7-2, motions may be filed thirty-five (35) days in advance
 10 of a hearing, which in this case would be on or before January 27, 2012;

11 WHEREAS, the Parties are in agreement to complete the response and reply briefing in
 12 advance of what would have been the minimum time for filing of the Motion and Supporting
 13 Materials;
 14

15 NOW, THEREFORE, the Parties stipulate that Plaintiff's response to the Motion and
 16 Supporting Materials shall be due on December 9, 2011; and eBay's Reply in Support of its
 17 Motion and Supporting Materials shall be due on January 16, 2012.
 18

19 **IT IS SO STIPULATED.**

20 Dated: November 10, 2011.

FIGARI & DAVENPORT, LLP

21 /s/

22 KEITH R. VERGES

23 *Attorneys for Plaintiff RICHARD NOLL*

24 Dated: November 10, 2011.

COOLEY LLP

25 /s/

26 JAMES M. PENNING (229727)

27 *Attorneys for Defendant EBAY INC.*

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Keith R. Verges, attest that concurrence in the filing of this Stipulation has been obtained from each of the other signatories.

/s/

KEITH R. VERGES

Attorneys for Plaintiff RICHARD NOLL